PATENT Case No. 21176YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Filed:

J.S. DEBENHAM et al.

Serial No. 10/576,796

April 21, 2006

For: SUBSTITUTED NAPHTHYRIDINONE DERIVATIVES

Art Unit:	1625	_
Examiner:		

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

Date

Computer generated form "IDS Letter" (IDS Folder), Merck & Co., Inc., 09/08/2005

## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

NPE	RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE	
JAN 0 8 2007 E			
MADEMARK			

If th	If this is inconvenient, additional copies will be submitted upon request.					
(	6. In accordance with 37 C.F.R. 1.97, (check one)					
	the attached information is filed within three months of the filing date	of the captioned case.				
	the attached information is filed more than three months after the filin Office Action on the merits.	ng date but prior to the m	ailing of a first			
	the attached information is filed before the mailing of a first Office act examination under §1.114.	tion after the filing of a re	quest for continued			
	the attached information is being filed more than three months after to Office Action on the merits, but before the mailing date of a Final Action otherwise closes prosecution in the application. The enclosed author Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).	tion, Notice of Allowance,	or an action that			
$\checkmark$	each item of information contained in this Information Disclosure Stat from a foreign patent office in a counterpart foreign application not me Statement.					
	each item of information contained in the information disclosure state from a foreign patent office in a counterpart application and this comparts designated in §1.56(c) more than thirty days prior to the filing of the in	munication was not recei	ived by any individual			
	no item of information contained in this Information Disclosure Statem foreign patent office in a counterpart foreign application, and, to the kafter making reasonable inquiry, was known to any individual designation months prior to the filing of this Statement.	knowledge of the person	signing the certificatior			
	D <sub>c</sub>	espectfully submitted				

By: CATHERINE D. FITCH

Attorney For Applicant(s)

Reg. No. 36,502

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4283

Date: January 4, 2007

Substitute for form 1449A/PTO	COMPLETE IF KNOWN		
INFORMATION DISCLOSURE	Application Number	10/576,796	
STATEMENT BY AFPLICANT	Filing Date	April 21, 2006	
/ 3\	First Named Inventor	J.S. Debenham et al.	
(use as agny sheets as neggssary)	Group Art Unit	1625	
e as thany sheets as necessary)	Examiner Name		
1 of 1	Attorney Docket Number	21176YP	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Docum		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	

FOREIGN PATENT DOCUMENTS							
E Cita		Foreign Patent Document		Name of Batanas and Applicate	Date of Publication of		
Examiner Initials*	No.		Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY
			EP 1 142 877		Japan Tobacco Inc.	10/10/2001	
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Examiner Signature Date Considered

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.